

IN THE SEYCHELLES COURT OF APPEAL

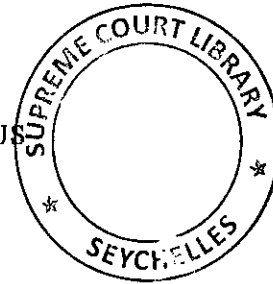
STATE ASSURANCE CORPORATION

APPELLANT

VERSUS

DAWSON LABODO

RESPONDENT



Civil Appeal No. 37 of 1994

JUDGMENT

I [~]ag[~]ee with my Learned Brother Ayola that the liability of the Appellant under the terms of the contract of Insurance has been established.

It is however clear that the Respondent is only entitled to the market value of the car at the time of the occurrence of the insurable event subject to a reduction of R1000 and not to the value insured. On the other hand, the Respondent is entitled to be paid not more than R5000 for loss of use.

The case is remitted to the trial court for an assessment of the damages to which the Respondent is entitled.

There will be no order as to costs.

L. E. Venchard

L. E. VENCHARD

JUDGE OF APPEAL

1995-11-10

Read in open court
and delivered in
me

[Signature]
Judge